

1963

## CONGRESSIONAL RECORD — SENATE

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ministration. It had substantial Republican support. It actually passed the other body with substantial Republican support. It will be before the Senate. I can promise that it will be before the Senate.

How much stronger will be our position, therefore, Mr. President, if the administration does not retreat, but fights for what it needs, for what it knows it needs, for what is right. The administration should stop looking over its shoulder toward those who sit in positions of power here, who can affect its other programs. The administration is not going to get any breaks on those, anyhow. We are down to the wire on the civil rights proposition. We must see it through now. If we do not see it through we shall gravely endanger our country in every aspect of its national life.

Mr. President, I yield the floor.

Mr. HUMPHREY. Mr. President, I merely wish to make a very brief statement regarding the discussion on civil rights. I have the highest respect and admiration for the Senator from New York [Mr. JAVITS] and know of his dedication to this fundamental issue of human rights. I know of no Senator who has a greater commitment to it, but I wish him to know—as well as all Senators on both sides of the aisle—that the administration, the President of the United States and the Attorney General, and those in support of the administration are committed to an effective program of civil rights legislation in this session of Congress.

We want a program, and not an issue. We want action, and not merely speeches. We want legislation that will have remedial effects. None of us could possibly believe that we can remedy every weakness or defect in one program, or in one bill, or in one session of Congress. But I wish to make it crystal clear that the administration—and the lieutenants of the administration, of which I am one—will see that the Senate has an opportunity to vote on and, if I have my way, to pass an effective, meaningful civil rights program that encompasses every issue that the President laid out in his message on civil rights.

It may well be that we cannot get every point that some people wish, but there will be action. There will be legislation. I have no doubt that in the years to come there will be opportunity to improve what we accomplish in this session of Congress; but the important thing, I believe, is for both Houses of Congress to be able to act, and to act promptly.

It is imperative that we act in 1963.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. JAVITS. I will stake my right arm that the Senator from Minnesota is a proponent of civil rights, whatever the Senator may do about this legislation. The Senator should have no doubt about that. I am as convinced of that as I am about what is in my own heart.

I should like to ask the Senator from Minnesota a question. Is it not a fact, feeling as I do, that it is my duty to

speak, because I feel very strongly about this issue? The able Senator knows a good deal about that. Does not the Senator agree with me, too, that it is also the duty of the Administration to listen? It may not act, but it is its duty to listen?

Mr. HUMPHREY. The Senator from New York not only has a duty to speak; but, since for years he has had a commitment to this fundamental area of human rights, of course it is his duty, his privilege, and his responsibility to speak—and he speaks clearly and unequivocally.

It is also the duty of the administration to seek counsel and advice. I do not consider the remarks of the Senator from New York today to be in bad temper, or to be motivated by partisanship. I wish him to know that. I should like Senators on the Republican side of the aisle to know that we cannot pass civil rights without their help; and, therefore, it is imperative that we try to have as much cooperation as humanly possible among us.

Those of us who believe in the civil rights program may have our differences—and it is quite obvious there are some differences on details—but we will have to reconcile those differences and work them out among ourselves.

I am not being critical of the Senator from New York. I merely wish the Senator to know that when this issue is before the Senate we must have action, and not merely another futile effort. We must make progress. Whether we can make as much progress as the Senator from New York proposes may very well be doubtful, but I agree with him that he should state his case and state it effectively. I shall state my case as best I can. But I would be less than honorable with Senators if I did not say that when we get down to the line we shall have to make a judgment as to what we can really pass in this body, and how we can stand together to support it.

I have no doubt that the Senator from New York [Mr. JAVITS], his colleague [Mr. KEATING], and the minority whip, the Senator from California [Mr. KUCHEL] will be in the forefront of that battle.

*Bill file*

**PROHIBITION OF EMPLOYMENT IN GOVERNMENT SERVICE OF ANY EMPLOYEE OF PRIVATE DETECTIVE AGENCIES**

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 423, S. 1543.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1543) to repeal that portion of the act of March 3, 1893, which prohibits the employment in any Government service or by any officer of the District of Columbia, of any employee of the Pinkerton Detective Agency or any similar agency.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. McCLELLAN. Mr. President, I call up the amendment No. 223.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, after line 6, it is proposed to insert the following new section:

Sec. 2. Hereafter no employee of any detective agency shall be employed in any Government service or by any officer of the District of Columbia for the purpose of providing investigative services.

Mr. McCLELLAN. Mr. President, when the bill was reported, it had the support of the agencies of government involved. All of them approved it. A question was raised by the distinguished Senator from Iowa [Mr. MILLER] with respect to the provisions of the bill. I have discussed them with him, and we have ironed out the differences. The amendment I now propose will do what everyone actually intended should be done and what we had in mind at the very beginning. So far as I know, there is no objection to the bill, and I ask that it be passed.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MILLER. I appreciate the consideration that the distinguished Senator from Arkansas gave to my comments on the bill as it originally came from committee. I believe we now have, in the form of the amendment, a better bill, certainly a bill which meets the test that everyone concerned wishes to have established. I join the Senator from Arkansas in expressing the hope that the bill will pass.

The PRESIDING OFFICER. The question is on agreeing on the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1543) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the paragraph immediately after the paragraph bearing the caption "Lighting the Capitol and Grounds" of the Act of March 3, 1893 (27 Stat. 591, 5 U.S.C. 53), is hereby repealed.

Sec. 2. Hereafter no employee of any detective agency shall be employed in any Government service or by any officer of the District of Columbia for the purpose of providing investigative services.

The title was amended so as to read: "A bill to repeal that portion of the Act of March 3, 1893, which prohibits the employment, in any Government service or by any officer of the District of Columbia, of any employee of the Pinkerton Detective Agency or any similar agency, and for other purposes."

**VISIT TO WASHINGTON BY TITO**

Mr. LAUSCHE. Mr. President, previously I have made several statements expressing my belief that a mistake has been made in inviting Tito to the United